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ABSTRACT

This paper reports on the perceptions of West Virginia teachers and administrators regarding the effectiveness of individual education plans (IEPs) in guiding discipline decisions for students with disabilities. Telephone interviews were conducted with 141 regular and special education teachers and administrators in all 55 West Virginia counties. Results indicate that IEPs often address academic rather than social, emotional, or behavioral needs, and the use of the IEP process to guide discipline procedures is seen as time-consuming and cumbersome. Consequently, students with disabilities often receive the same instructional programming and discipline procedures as regular education students. In addition, the frequent use of suspension and homebound instruction only serves to remove students with emotional and behavioral disorders from the environment in which they can learn appropriate social skills. The following recommendations are offered for improving the use of the IEP process in student disciplinary action: (1) training preservice and inservice teachers in using IEPs to guide discipline decisions; (2) identifying behavioral interventions and discipline procedures that incorporate proactive social skills; (3) keeping regular classroom teachers informed of behavioral interventions outlined in IEPs in order that social skills instruction can be incorporated into the regular classroom; (4) actively involving parents and students in IEP development; (5) adopting a proactive stance with regard to the needs of students at risk of school failure; and (6) assuring that student rights are protected by determining the relationship between disability and misbehavior. (LP)

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IEPS, STUDENTS WITH BEHAVIOR PROBLEMS AND SCHOOL DISCIPLINE POLICIES: A COLLISION COURSE

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IEPS, STUDENTS WITH BEHAVIOR PROBLEMS AND SCHOOL DISCIPLINE POLICIES: A COLLISION COURSE

The Individual Education Plan (IEP) is the keystone of special education practice. As originally conceived of by the framers of P.L. 94-142, the IEP is to be developed via multidisciplinary team process with substantial parental and student input . IEP process should serve the purpose of developing long term goals and short term objectives that address specific student learning needs and direct instructional planning. The IEP is to guide placement decisions as well as specify evaluation processes and criteria. These critical functions of the IEP are pivotal in safeguarding students' rights to free and appropriate public education (FAPE).

Although the intent of IEP process involves creating highly personalized plans to meet individual need, there is little evidence that the implementation of IEP mandates has been successful (Baumgart, Filler, & Askvig, 1991; Butera, Belcastro, Friedland, Henderson, Jackson, Klein, McMullen & Wilson, 1996; Fiedler and Knight, 1986; Margolis & Truesdale, 1987; Smith & Simpson, 1989). Serious omissions of critical components in IEP plans, an overall lack of congruence among components of the IEP, and a dearth of parent participation in the process of IEP design have been documented by IEP research over the past decade. In addition, there is evidence that IEP process has become overly proceduralized as schools attempt to protect themselves from the lawsuits that often result when parents perceive IEP provisions are not met (Staples, 1996).

These issues become especially critical when we consider the IEP's presumed function of protecting the rights of students with disabilities to FAPE. In response to public perceptions about increased student violence and ongoing concerns about student safety, school discipline policies and procedures across the nation have become more prescriptive (Brendtro & Ness, 1995; Kauffman, 1995). In cases where students with disabilities are involved in discipline proceedings, the IEP is to be examined in order to establish a possible causal link between the misbehavior and disability. Our research data suggests that too often IEPs are not referenced in making these discipline decisions for students with disabilities.

Interviews of practitioners across the state of West Virginia examined their perceptions of IEP process as it actually occurs in the field. We were interested to find if IEPs were commonly employed to safeguard the rights of students with social, emotional, or behavioral difficulties. Additionally, we wished to investigate whether IEPs were perceived as workable plans for intervention regarding student needs.

Because the purpose of the research was to investigate practitioner attitudes and opinions about the effects of IEP mandates and procedures, a qualitative approach to data gathering and analysis was considered most appropriate. Doctoral students from West Virginia University conducted telephone interviews of 141 educators using protocols developed and tested for four educator roles: special education coordinators; principals; regular educators; and special educators. The sampling pool included practitioners from each of the 55 West Virginia counties. Interviewees in both classroom and administrative positions were selected from middle, junior and senior high schools using stratified random selection procedures. Elaborated responses were elicited using probing procedures and were recorded using note taking procedures described by Dillman (1978).

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The initial stage of data reduction included compiling frequency counts of the interview responses that were forced-choice. A qualitative consensual analysis was conducted in which all members of the research team read the interview notes in their entirety to identify common themes. Examples of each theme from the interview data were placed in envelopes labeled according to theme. Reliability was established using a member checking procedure in which the content of envelopes was reread by various members of the research team. Disagreements regarding the content of any envelope were discussed until consensus was reached. This ongoing method of data reduction was pursued until most of the data was assigned to a categorical theme (Schumaker & McMillan, 1993). See Table.

Table 1
Interview Themes

1. IEPs address academic rather than social, emotional or behavioral needs
2. IEPs too procedural, cumbersome, and time-consuming
3. IEP ownership solely that of the special educator
4. Differential treatment for "good students" v. "trouble makers"
5. Concern that IEPs were used to circumvent discipline procedures
6. Lack of practitioner training in behavior management
7. Frequent use of homebound instruction as an alternative special education placement

Our results indicated that IEPs often address academic rather than social, emotional or behavioral needs, and the use of IEP process to guide discipline procedures was seen as too time-consuming and cumbersome to implement. These findings imply that students with social, emotional or behavioral disorders often do not receive instruction tailored to address their specific needs. Further, effective safeguards for their rights to FAPE via IEP process are not in place. Consequently, students with disabilities often receive the same instructional programming and discipline procedures as students who may have already mastered appropriate social, emotional, and behavioral skills. When schools suspend these students with disabilities for misbehavior, they remove them from environments in which they can learn and practice the skills they most need to develop including social skills and emotional/behavioral self-control.

A thorough and careful reconsideration of the role of IEPs in special education practice seems appropriate. On the face of it, we are loathe to abandon the IEP as a vehicle for safeguarding student rights. However, practitioners in the field are ultimately in the position to determine IEP efficacy as they use or fail to use the process as it was designed. The following specific issues frame the substance of our concerns.

1. Practitioners in the field of practice make decisions that ultimately determine the outcome of policy implementation. As Weatherley & Lipsky (1977) point out, teachers function as "street-level bureaucrats" when they must prioritize which of many pressing

needs to address in their day-to-day decision-making. It may be that in making these decisions, practitioners in essence reference an informal set of largely unexamined beliefs and theories about effective professional practice. For example, in our research, both regular and special educators frequently expressed a belief in equal punishment for all students regardless of disability status. They also felt that students with disabilities must experience equal treatment in order to learn what life was like in the "real world". These and other similar statements provide evidence that practitioners' understanding about the nature of disability or the effects of "punishment" is not especially well-considered. Under these circumstances, although both preservice and inservice training are important vehicles to bring about change, it is not clear to us what sorts of preservice or inservice training experiences are effective in changing the ways in which practitioners use IEPs to assist in decision-making about discipline for students with disabilities. It may be that practioner's beliefs about equity underlie the reasons why practitioners fail to use IEPs to guide practice. If so, continued training targeted only at skills in designing and implementing IEPs will not address the underlying reasons why practitioners fail to use IEPs to guide discipline decisions. This issue requires further research.

2. Our research suggests that the tasks involved in IEP process were viewed as primarily the responsibility of special educators. Principals frequently stated that they consulted with special educators to determine consequences for the behavior of students with disabilities. Particularly in rural settings which typically can provide fewer human service resources, such as mental health personnel and social workers, special educators may be called upon to address social, emotional, and behavioral issues with their students. Special educators, therefore, need to maintain an ongoing awareness of both the original intent of the IEP to safeguard students' rights to FAPE and their advocacy role for individuals with disabilities within their schools. Students, teachers, and educational systems may be well served if behavioral interventions and discipline procedures which incorporate proactive social skills instruction are designed during IEP process.

3. We hypothesize that issues related to social, emotional, and behavioral needs of students with disabilities become more salient as students advance in school. At the same time, as the school curriculum becomes more complex, it becomes even more difficult for special educators to effectively implement IEPs as students participate in inclusive classrooms with many different classrooms and classroom teachers. It is, therefore, essential that regular classroom teachers are informed of the behavioral interventions provided in IEPs and that they incorporate instruction in social skills within their classes. One high school special education department provides an extended coffee break early in the school year so that special and regular educators can confer about IEPs. As classroom teachers sip coffee and sample snacks, special educators give them copies of IEPs for students in their classes and schedule appointments as needed to jointly plan methods of implementing instructional modifications related to IEP goals and objectives. Such techniques appear promising for developing collaborative relationships between special and general educators. Such relationships are essential if student need is to be addressed.

4. Students and parents should be integral members of the IEP team. The varying demands of included settings during the volatile period of adolescents' progression toward adulthood also make it critical that students and parents are actively involved in designing proactive behavior management plans. During their middle school career, students with disabilities might be trained in strategies to communicate their educational expectations and goals. As they progress into junior high and high school levels, they should participate as full members of the IEP team as appropriate. Special educators might recruit active involvement of parents, before and early in the school year, by sending a letter describing expectations for the year and times that the teacher is available to address needs or concerns or by visiting the student's home. Although this may be a critical first step in involving

parents and studnets as active participants int he process, ongoing and extended efforts to maintain relationships that involve partnership are important.

5. Our research revealed that students with disabilities are frequently suspended from school often for relatively minor infractions. Interviewed educators often expressed regret about the lack of alternatives to suspension in their school. However, alternative methods of addressing student discipline usually involved placing responsibility for the student outside the school environment. We find this most distressing. Model programs that have demonstrated success with at-risk students have suggested that in order to address student needs schools must become creative, caring communities. Students must perceive that education is relevant their lives in the present as well as in the future. Opportunities for work study and vocational education as well as ongoing involvement in school and community activities. Connecting students with faculty members who maintain ongoing caring concern for their students is an effective method of keeping students in school and out of trouble. It is important to note that while some of these alternatives incur cost ultimately, they are cost effective since they are likely to keep students in school and prepare them for lives as full and productive citizens (Butera, et. al., 1996). In this regard it may be that special educators must assume an advocacy role in order to assure that schools adopt a proactive stance with regard to the needs of students who may otherwise be at-risk for school failure.

6. The use of IEPs as a safeguard for students rights to FAPE must be carefully monitored. Bateman (1994) points out and our data supports, that only the rare regular education administrator understands the educational or legal necessity for individualized disciplinary procedures for students whose disability relates their misconduct. Determining the relationship between disability and misbehavior is difficult. Failing to address this issue via examination of the IEP does not assure that student righs to FAPE are protected.

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